

THE CIRCUIT COURT OF CRITTENDEN COUNTY, ARKANSAS
CIVIL DIVISION

LARRY GRIFFIN

VS.

PILOT TRAVEL CENTERS, LLC

NO. CV-2014-270

DEFENDANT

FILED
2014 AUG -8 AM 10:43
FERRY JENNINGS
CIRCUIT COURT CLERK
CRITTENDEN COUNTY, AR

COMPLAINT

COMES NOW the Plaintiff, Larry Griffin, by and through their attorneys, Durrett & Coleman, and Gatti, Keltner, Bienvenu, & Montesi, and for his Complaint against the Defendant, Pilot Travel Centers, LLC, states and alleges the following, to wit:

I. JURISDICTION

1. That the plaintiff is a resident of Memphis, Shelby County, Tennessee and the subject of the accident occurred in Crittenden County. Venue and jurisdiction are properly before this Court.

II. PARTIES

2. That the defendant, Pilot Travel Centers, LLC is now, and at all times mentioned in this complaint was, is a foreign limited liability company organized and existing under the laws of the State of Arkansas, with its place of business in West Memphis, Crittenden County, Arkansas. Its agent for service of process is The Corporation Company, 425 W. Capitol Avenue, Suite 1700, Little Rock, Arkansas 72201.

III. FACTS

3. That on the 6th day of April, 2013, the plaintiff came on the premises of the defendant's store. Plaintiff transacted his business, and went to exit the store. He exited at a different doorway than the one he had come in. At the doorway he was exiting, there was a large black mat which was old and frayed and curled on the edges. Plaintiff's foot caught one of the



curled edges, which resulted in plaintiff suddenly and without warning falling to the group, causing plaintiff to sustain serious injuries and damages described below.

4. At the aforesaid time and place, the plaintiff was lawfully on said premises.

5. At the aforesaid time and place, the defendant, by and through its agents, servants and/or employees maintained the aforementioned premises including the sidewalks, parking lots, entrance and exits to said premises in such a manner where the areas became and/or caused a hazard when the oversized mat's edges had curled up.

6. Defendant, as owners and operators of the store negligently:

- a. Failed to maintain the floor of the store in a reasonably safe condition;
- b. Failed to exercise reasonable care to maintain or replace a dangerous mat and created an unreasonable risk of harm to plaintiff;
- c. Failed to warn plaintiff of the danger presented by the mat; and
- d. Failed to otherwise exercise due care with respect to the matters alleged in this complaint.

7. That the negligence of the defendant proximately caused the plaintiff to sustain injuries, including, but not limited to, injuries to his right femoral shaft fracture requiring surgical repair and right leg pain and stiffness. As a result of his injuries, he has incurred medical and related expenses and has been assigned a Permanent Impairment Rating of 7% to the right femoral shaft fracture/right leg and 3% to whole body with slight leg stiffness and leg pain. He has experienced, and will continue to experience pain and suffering. Plaintiff is entitled to an amount that will compensate him for these injuries.

8. Plaintiff's medical expenses to date are \$92,105.14.

9. Plaintiff requests a jury trial.

10. Plaintiff specifically reserves the right to amend this pleading.

WHEREFORE, Plaintiff, Larry Griffin, prays for a judgment of this Court against the Defendant, Pilot Travel Centers, LLC, for damages as cited herein, which are each in excess of that required for federal court jurisdiction in diversity of citizenship cases, and other costs of this action and any and all other relief to which he may be entitled.

RESPECTFULLY SUBMITTED,

BY:


GERALD A. COLEMAN (82034)

DURRETT AND COLEMAN

105 North Avalon

P.O. Box 1667

West Memphis, AR 72301

(870) 735-3735

MICHAEL F. MONTESI

GATTI, KELTNER, BIENVENU &

MONTESI

219 Adams Avenue

Memphis, TN 38103